

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON GRAND JURY 2019  
SEPTEMBER 17, 2019 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 219 -00 235  
18 U.S.C. § 1347

JULIE M. WHEELER

I N D I C T M E N T  
(Healthcare Fraud)

The Grand Jury Charges:

Background

At all relevant times herein:

1. The United States Department of Veterans Affairs ("VA") was a department and independent federal agency of the executive branch of the United States Government.

2. The VA provided health care benefits to certain Korea and Vietnam Veterans' birth children diagnosed with spina bifida through the Veterans Health Administration ("VHA") under the Spina Bifida Health Care Benefits Program, a healthcare benefit program within the meaning of Title 18, United States Code Section 24(b).

3. The Spina Bifida Health Care Benefits Program paid for home health services, including home health aide services and homemaking services, for beneficiaries of the program.

4. The Veterans Health Administration Office of Community Care ("OCC") located in Denver, Colorado, managed the Spina Bifida

Health Care Benefits Program, including authorization of benefits and the subsequent processing and payment of health care claims.

5. A person known to the Grand Jury, K.L., also known as K.W. ("K.L.") was a recipient of spina bifida health care benefits through the VA's Spina Bifida Health Care Benefits Program.

6. Defendant JULIE M. WHEELER was the owner and operator of JRW Homecare Support Services ("JRW HSS"). The VA employed defendant JULIE M. WHEELER to provide benefits and services to K.L. associated with K.L.'s needs associated with spina bifida.

#### **The Scheme to Defraud**

7. Defendant JULIE M. WHEELER knowingly and willfully executed and attempted to execute a scheme to defraud and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money owned by and under the custody and control of a healthcare benefit program.

#### **Manner and Means for Carrying Out the Scheme to Defraud**

8. To execute her scheme, defendant JULIE M. WHEELER inflated her hours and days of services provided to K.L. on health insurance claim forms that she completed and submitted to OCC knowing that she did not provide the hours and days of services claimed.

9. In furtherance of her scheme, JULIE M. WHEELER'S submissions to OCC included the following:

a. On or about January 1, 2017, defendant JULIE M. WHEELER submitted health insurance claim forms to OCC fraudulently representing that she provided eight hours of home health services, seven days a week for K.L. every day from October 1, 2016 through December 31, 2016, when, in fact, she had not provided K.L. such services eight hours a day, seven days a week.

b. On or about April 3, 2017, defendant JULIE M. WHEELER submitted health insurance claim forms to OCC fraudulently representing that she performed eight hours of daily home health services, seven days a week for K.L. every day from March 9, 2017 through April 1, 2017, when, in fact, she had not provided K.L. such services eight hours a day, seven days a week.

c. On or about July 2, 2017, defendant JULIE M. WHEELER submitted health insurance claim forms to OCC fraudulently representing that she provided eight hours of home health services, seven days a week for K.L. every day from April 21, 2017 through June 30, 2017, when, in fact, she had not provided K.L. such services eight hours a day, seven days a week.

10. Upon receipt of these and similar fraudulent submissions to OCC, the VA authorized payments under the Spina Bifida Health

Care Benefits Program. Payment was then issued from the Department of the Treasury to defendant JULIE M. WHEELER through JRW HSS.

11. As a result of her scheme to defraud, from June 30, 2017 through May 31, 2018, defendant JULIE M. WHEELER received approximately \$469,983 from a health care benefit program.

12. From in or about October 2016, through in or about April 2018, at or near Oak Hill, Fayette County, West Virginia, and within the Southern District of West Virginia and elsewhere, defendant JULIE M. WHEELER knowingly and willfully executed and attempted to execute the above-described scheme and artifice to defraud and obtain, by means of materially false and fraudulent pretenses, representations, and promises, money owned by and under the custody and control of the VA Spina Bifida Health Care Benefits Program, a health care benefit program, in connection with the delivery of or payment for health care benefits, items, and services.

In violation of Title 18, United States Code, Section 1347.

### NOTICE OF FORFEITURE

The allegations contained in this Indictment are incorporated by reference. Notice is hereby given of 18 U.S.C. § 982(a)(7), and 28 U.S.C. § 2461(c). Under Section 2461(c), criminal forfeiture is applicable to any offenses for which forfeiture is authorized by any other statute, including but not limited to 18 U.S.C. § 982(a)(7). The following property is subject to forfeiture in accordance with 18 U.S.C. § 982(a)(7) and/or 28 U.S.C. § 2461(c):

- a. All property, real or personal, which constitutes or is derived from proceeds of the violation set forth in this indictment; and
- b. If, as set forth in 21 U.S.C. § 853(p), any property described in (a) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a).

The following property is subject to forfeiture on one or more of the grounds stated above:

a. A forfeiture money judgment in the amount of at least \$469,983, such amount constituting the proceeds of the violation set forth in this indictment.

All pursuant to 18 U.S.C. § 982(a)(7) and 28 U.S.C. § 2461(c).

MICHAEL B. STUART  
United States Attorney

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